

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2021-3-E ORDER NO. 2021-84-H**

**JUNE 21, 2021**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Annual Review of Base Rates for Fuel Costs of Duke Energy Carolinas, LLC (For Potential Increase or Decrease in Fuel Adjustment and Gas Adjustment)**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of South Carolina Energy Users Committee ("SCEUC")**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of the South Carolina Energy Users Committee. The Petition is timely filed, and no objections to the intervention have been filed.**

**After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:**

**set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**According to the Petition, SCEUC is an association organized in the State of South Carolina, consisting of large industrial consumers of energy which are engaged in various manufacturing enterprises throughout the State; SCEUC is organized for the purposes of intervening and participating in regulatory proceedings to advocate for cost based electric rates that are just and reasonable. The Petition asserts that members of SCEUC take electric service from DEC, consuming and purchasing substantial amounts of electricity from the Company. SCEUC asserts that it and its members have a real, material, and substantial interest in the subject matter to be addressed and resolved by the Commission in this docket as SCEUC members will suffer an adverse impact if obligated for payment of increased electric rates, charges, and tariffs; as a consequence, SCEUC believes that its members will be aggrieved by an order by the Commission adjusting, changing, and increasing DEC's electric rates, charges, and tariffs. SCEUC states that its members are**

**not adequately represented by the current parties to this proceeding. However, SCEUC asserts that, given the state of the record at this stage of the proceedings, it lacks sufficient information to fully develop and state its position in this proceeding at this time.**

**From these facts, this Hearing Officer holds that SCEUC has successfully satisfied the three criteria for intervention stated in the Regulation. Pine Gate's interest in this matter can clearly be discerned, as can the grounds for the intervention. Although SCEUC cannot state its position at this early stage of the proceedings, there is no prejudice to any party, nor will there be a delay in the proceedings.**

**In this case, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of SCEUC is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.**